

1 DAVID L. ANDERSON (CABN 149604)
United States Attorney

2 HALLIE HOFFMAN (CABN 210020)
3 Chief, Criminal Division

4 MICHELLE J. KANE (CABN 210579)
KATHERINE L. WAWRZYNIAK (CABN 252751)
5 Assistant United States Attorneys

6 1301 Clay Street, Suite 340S
Oakland, California 94612
7 Telephone: (510) 637-3680
FAX: (510) 637-3724
8 michelle.kane3@usdoj.gov
katherine.wawrzyniak@usdoj.gov

9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 UNITED STATES OF AMERICA,)	No. CR 16-00440 WHA
)	
15 Plaintiff,)	JOINT PROPOSED VERDICT FORM
)	
16 v.)	Trial: March 9, 2020
)	Pretrial Conference: February 19, 2020
17 YEVGENIY ALEXANDROVICH NIKULIN,)	Time: 1:30 p.m.
)	Courtroom No. 12
18 Defendant.)	
)	
19 _____)	

20 The parties respectfully submit this joint proposed verdict form.

21 DATED: February 12, 2020

Respectfully submitted,

22 DAVID L. ANDERSON
United States Attorney

23
24 /s/
MICHELLE J. KANE
KATHERINE L. WAWRZYNIAK
25 Assistant United States Attorneys

26 /s/
27 ADAM GASNER
VALERY NECHAY
28 Counsel for Defendant Nikulin

JOINT PROPOSED VERDICT FORM
CR 16-00440 WHA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR 16-00440 WHA
Plaintiff,) VERDICT
v.)
YEVGENIY ALEXANDROVICH NIKULIN,)
Defendant.)

WE, THE JURY, find the defendant, Yevgeniy Alexandrovich Nikulin, as follows:

As to Count One of the Indictment, Computer Intrusion, in violation of 18 U.S.C. § 1030(a)(2):

☐ GUILTY

☐ NOT GUILTY

If you found the defendant guilty as to Count One, do you also find beyond a reasonable doubt that the offense was committed for purposes of commercial advantage or private financial gain?

☐ YES

☐ NO

If you found the defendant guilty as to Count One, do you also find beyond a reasonable doubt that the value of the information obtained exceeded \$5,000?

☐ YES

☐ NO

VERDICT
CR 16-00440 WHA

1 As to Count Two of the Indictment, Intentional Transmission Causing Damage to a Protected Computer,
2 in violation of 18 U.S.C. § 1030(a)(5)(A):

3 ☐ GUILTY

4 ☐ NOT GUILTY

5 If you found defendant guilty as to Count Two, do you also find beyond a reasonable doubt that the
6 offense caused loss to one or more persons during any one-year period aggregating at least \$5,000 in
7 value?

8 ☐ YES

9 ☐ NO

10 As to Count Three of the Indictment, Aggravated Identity Theft, in violation of 18 U.S.C. § 1028A:

11 ☐ GUILTY

12 ☐ NOT GUILTY

13 As to Count Four of the Indictment, Computer Intrusion, in violation of 18 U.S.C. § 1030(a)(2):

14 ☐ GUILTY

15 ☐ NOT GUILTY

16 If you found the defendant guilty as to Count Four, do you also find beyond a reasonable doubt that the
17 offense was committed for purposes of commercial advantage or private financial gain?

18 ☐ YES

19 ☐ NO

20 If you found the defendant guilty as to Count Four, do you also find beyond a reasonable doubt that the
21 value of the information obtained exceeded \$5,000?

22 ☐ YES

23 ☐ NO

24 As to Count Five of the Indictment, Conspiracy, in violation of 18 U.S.C. § 371:

25 ☐ GUILTY

26 ☐ NOT GUILTY

As to Count Six of the Indictment, Trafficking in Unauthorized Access Devices, in violation of 18 U.S.C. § 1029(a)(2):

_____ GUILTY

_____ NOT GUILTY

As to Count Seven of the Indictment, Computer Intrusion, in violation of 18 U.S.C. § 1030(a)(2):

_____ GUILTY

_____ NOT GUILTY

If you found the defendant guilty as to Count Seven, do you also find beyond a reasonable doubt that the offense was committed for purposes of commercial advantage or private financial gain?

_____ YES

_____ NO

If you found the defendant guilty as to Count Seven, do you also find beyond a reasonable doubt that the value of the information obtained exceeded \$5,000?

_____ YES

_____ NO

As to Count Eight of the Indictment, Intentional Transmission Causing Damage to a Protected Computer, in violation of 18 U.S.C. § 1030(a)(5)(A):

_____ GUILTY

_____ NOT GUILTY

If you found defendant guilty as to Count Eight, do you also find beyond a reasonable doubt that the offense caused loss to one or more persons during any one-year period aggregating at least \$5,000 in value?

_____ YES

_____ NO

As to Count Nine of the Indictment, Aggravated Identity Theft, in violation of 18 U.S.C. § 1028A:

_____ GUILTY

_____ NOT GUILTY

DATED: _____

FOREPERSON

VERDICT
CR 16-00440 WHA